GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services - Registration & Stamps Department – Allegations against Sri B.Suryanarayana, former Registrar, District Societies, Kakinada – Complaint filed by Bonthu Rajesh, Secretary, Church of Christ Social Service Organisation, Amalapuram before the Institution of Lokayukta of Andhra Pradesh, Hyderabad – Disciplinary proceedings initiated – Written Statement of Defence received – Remarks obtained – Report furnished to the Lokayukta – closed the complaint – Further action dropped – Orders – Issued.

REVENUE (VIGILANCE-II) DEPARTMENT

G.O.Rt.No.242 Dated:28-2-2017
Read the following:

1. From the Registrar, Institution of Lokayukta of AP, Hyd., Lr.Dis.No.1462/2013/B2/5204/2013, dated: 25.09.2013.
2. C&IG Lr.No.Vig.3/10262/2014, dated:27-8-2014.
3. G.O.Rt.No.780, Rev (Vig.II) Deptt., dated:3-9-2014.
4. WSD of Sri B.Suryanarayana, former DR, Kakinada, present DIG, R&S, Vizinagaram.
5. C&IG, R&S, AP., Lr.No.SOC2/14559/2013, dated: 24-11-2014.
6. Govt., Lr.No.36984/Vig.II(1)/2013-13, dated: 24-12-2014.
7. Registrar, Lokayukta Lr.Dis.No.1462/2013/B2/5301/2014, dated:12.12.2014.
8. Govt., Lr.No.36984/Vig.II(1)/2013-14, dt:23-1-2015.
9. Dy.Registrar, Lokayukta Lr.Dis.No.1462/2013/B2/1216/2016, dt:22-12-2016 along with orders of Upa-Lokayukta in Complaint No.1462/2013/b2, dt:11-11-2016.

@@@

ORDER:

Whereas, in the reference 1st read above, the Registrar, Institution of Lokayukta of Andhra Pradesh, while enclosing the complaint filed by Sri Rajesh Bonthu, styled as Secretary, Church of Christ Social Service organization, Amalapuram along with orders of Lokayukta has directed the Government to submit action taken report by 15-7-2014 and further posted on 18-9-2014.

2. Government have examined the matter in detail and initiated disciplinary proceedings against Sri B.Suryanarayana, former District Registrar duly framing the following charge in the reference 3rd read above.

Charge:

Sri B.Suryanarayana, former District Registrar, Kakinada presently working as Deputy Inspector General, Registration & Stamps, Vizianagaram while working as District Registrar, Kakinada, he accepted the list of governing body for the year 2012-2013 for the society styled as CHURCH OF CHRIST, Social Service Organisation registered No.566/1984 presented by Sri Joseph Raju Bonthu who is the President of Society. As per Rule 4 (b) of the rules and regulations of the Society, the Governing Body has to be elected by the General Body but, the District Registrar accepted list of Governing Body elected by the Executive Committee which is against as per Rule 4 (b) of the said Society and thus the District Registrar violated Section 9 of AP Societies Registration Act, 2001.

Thus, Sri B.Suryanarayana, former District Registrar, Kakinada presently Deputy Inspector General, Registration & Stamps,

Contd., 2

Vizianagaram has violated the provisions of section 9 of AP Societies Registration Act, 2001 regarding the filing of annual list by colluding with one Sri Bonthu Joseph by accepting the body for the year 2012-2013 on 27-3-2012.

3. Whereas, in the reference 4th read above, the Charged Officer submitted Written Statement of Defense.

4. And whereas, in the reference 5th read above, the Commissioner & Inspector General, Registration & Stamps has stated that it is not a violation under Section 9 of the Societies Registration Act, 2001 since the duty and responsibility of the Registrar of Societies is only limited to take on record / filing of the Annual list of Managing Committee and it is not the duty of the Registrar of Societies to pronounce the legality or correctness of the resolution dt.2.2.2012 as in the case of Amendment of Memorandum of Association and Byelaws under Section 8(4) of the Societies Registration Act, 2001.

5. In the references 6th & 8th read above, a report has been sent to the Registrar, Institution of Lokayukta informing that it is not a violation under Section 9 of the Societies Registration Act, 2001 since the duty and responsibility of the Registrar of Societies is only limited to take on record / filing of the Annual list of Managing Committee and it is not the duty of the Registrar of Societies to pronounce the legality or correctness of the resolution dt.2.2.2012 as in the case of Amendment of Memorandum of Association and Byelaws under Section 8(4) of the Societies Registration Act, 2001.

6. Whereas, the Deputy Registrar, Institution of Lokayukta for the States of Andhra Pradesh and Telangana in the reference 9th read above has informed that the Hon'ble Upa-Lokayukta has closed the Complaint No.1462/2013/B2 filed by Sri Bonthu Rajesh stating that he has gone through the entire material placed on record and observed that the Commissioner & Inspector General, Registration and Stamps Department submitted the report stating that it is not a violation under Section 9 of the Societies Registration Act, 2001 since the duty and responsibility of the Registrar of the Societies is only limited to take on record/ filing of the Annual list of Managing Committee and it is not the duty of the Registrar of Societies to pronounce the legality or correctness of the resolution dated 02.02.2012 as in the case of Amendment of Memorandum of Association and Byelaws under Section 8(4) of the Societies Registration Act, 2001.

7. The Hon'ble Upa Lakayukta further stated that the public servant also in his detailed reply dated 11.02.2016, has denied the allegation and imposing charge basing on Section 9 of the Societies Registration Act, 2001 is not binding on the Registrar of Societies and not in strict sense of the Section 9 for the reason that he need not enquire into the correctness, validity of the list of the Society. Further, any dispute with regard to management of the Society rests on the aggrieved member of the Society only and such disputes are not in the jurisdiction of the Registrar of Societies. There is remedy to the aggrieved members to invoke Section 23 of the Registration Act, 2001 and seek re-dressal".

8. For all the reasons discussed above, the Hon'ble Upa-Lokayukta has directed the complainant to avail the alternative remedies that are available to him under the Registration Act, 2001, i.e. invoking the provisions of Section 23 of Registration Act, 2001, and get his grievance redressed. With the above direction, the Hon'ble Upa-Lokayukta has closed the complaint.

Contd.,3

9. Government after careful examination of the matter have decided and hereby order to drop further action against Sri B.Suryanarayana, former District Registrar, Societies, Kakinada, presently Deputy Inspector General, Registration & Stamps, Ongole keeping in view the remarks of Director & Inspector General, Registration & Stamps in the reference 5th read above and orders of Hon'ble Upa-Lokayukta in the reference 9th read above.

10. The Director & Inspector General, Registration & Stamps shall take necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

AJEYA KALLAM
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
The Individual (through the Director & Inspector General, Registration & Stamps, Andhra Pradesh, Eedupugallu, Vijayawada with a request to serve the order and furnish the served copy to Government for record)
The Director & Inspector General, Registration & Stamps, Andhra Pradesh, Eedupugallu, Vijayawada.
SF / SC.

//FORWARDED :: BY ORDER//

SECTION OFFICER